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Loan No. *****789/ Our File No. 08-04-1751

6 Attorney for Secured Creditor
7 Wells Fargo Home Mortgage, Inc.

8 UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

9 In re:

10 TOM D. STUMBO,
11 Debtor(s)

CHAPTER 13
BANKRUPTCY NO.: 05-27478-BAM
DATE: 5/7/08
TIME: 10:00 A.M.

12 **STIPULATION FOR ADEQUATE PROTECTION AND TERMINATION OF**
13 **AUTOMATIC STAY UPON NON-PAYMENT**

14 THIS MATTER HAVING come on for Hearing on December 3, 2009 in the above-
15 referenced Court, before the Honorable Bruce A. Markell, United States Bankruptcy Judge,
16 Michael W. Chen, Esq. of THE COOPER CASTLE LAW FIRM attorneys of record for Secured
17 Creditor Wells Fargo Home Mortgage, Inc., having appeared and TOM D. STUMBO, appearing
18 through Bonnie Boyce, Esq., and this Court being fully advised on the premises, and Court having
previously reinstated the automatic stay herein, and the parties having negotiated in good faith;

19 IT IS HEREBY STIPULATED, AGREED, AND ORDERED that Secured Creditor
20 acknowledges receipt of Money Order/Cashier Check Nos. 11405, 11243, 11319, 11196 and 11197
21 for the total amount of \$7,996.47. Said payment represents a partial payment towards the balance
22 of post-petition arrears on Secured Creditor's 1st Trust Deed obligation, a full breakdown of said
23 arrears will be defined later in this order.

24 IT IS FURTHER STIPULATED, AGREED, AND ORDERED that DEBTOR(S) shall
25 maintain regular monthly post-petition payments on Secured Creditor's 1st Trust Deed obligation,

encumbering the subject Property, generally described as 5121 Lydfort Court North Las Vegas, Nevada 89030 ("Property" herein) and legally described as follows:

LOT SEVENTY-EIGHT (78) IN BLOCK THREE (3) OF SOMERSET ESTATES
1 PHASE-1, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 57 OF PLATS,
PAGE 82, IN THE OFFICE OF THE COUNTY RECORDER, CLARK COUNTY,
NEVADA

in a timely fashion, commencing with the February 1, 2010 payment, and continuing thereafter on the first day of each month. Payments are due on the 1st day of each month. Said payments shall be made directly to Wells Fargo Home Mortgage, Inc. c/o National Bankruptcy Servicing, Attention: Tamera Young, 9441 LBJ Freeway, Suite 250, Dallas, TX 75243.

IT IS FURTHER STIPULATED, AGREED AND ORDERED that TOM D. STUMBO, shall make additional payments to the above referenced address in the amount of \$424.93 each, commencing February 20, 2010 and continuing for six (6) months until the post-petition arrearages owing on Secured Creditor's 1st Trust Deed are cured. A definition of said arrearages are detailed in the table listed below:

7 monthly payments totaling	\$7,861.67
June 2009 through December 2009	
1 monthly payment at \$1,116.79	\$1,116.79
January 2010	
Accrued Late Charges	\$134.80
Default related charges	\$213.28
Foreclosure Fees/Costs	\$1,399.48
Less Suspense Balance described above	<\$7,996.47>
Total Post-Petition Arrearage	\$2,549.55

IT IS FURTHER STIPULATED, AGREED AND ORDERED that in the event that the Debtor fails to comply with the regular monthly or stipulated payments ordered above, Secured Creditor shall send to the Debtor a written notice of default to TOM D. STUMBO at 5121 Lydfort

1 Court, North Las Vegas, NV 89031 with a copy sent to the Debtors counsel Daniel Rickert, Esq.,
2 located at 1118 E. Carson Avenue, Las Vegas,, NV 89101, stating that the Debtor shall have fifteen
3 (15) days to cure. An additional attorney's fee of \$100.00 will be incurred for each notice of default.
4 In the event that the Debtor fails to timely cure said default of payments after the fifteen (15) day
5 period has expired, Secured Creditor shall submit an Ex Parte Order Terminating the Automatic
6 Stay. Upon entry of the Ex Parte Order, the Automatic Stay shall be immediately extinguished for
7 all purposes as to Secured Creditor Wells Fargo Home Mortgage, Inc., its assignees and/or
8 successors in interest, may proceed with a foreclosure of and hold a Trustee's Sale on the subject
9 property, pursuant to applicable state law, and commence any action necessary to obtain complete
10 possession of the subject Property. Upon disposition of collateral, Secured Creditor will amend or
11 delete its Proof of Claim and provide Trustee with the notice of same.

12 IT IS FURTHER STIPULATED, AGREED AND ORDERED that in the event case
13 converts to a Chapter 7 proceeding the Secured Creditor will issue the same written notice as stated
14 above for the total arrears to include pre-petition debt (if any should remain) that would have been
15 paid through the former Chapter 13 Plan which Debtor will be given the same fifteen (15) day
16 period to cure. In the event Debtor fails to cure said arrears after the fifteen (15) day period has
17 expired, Secured Creditor shall submit an Ex Parte Order Terminating the Automatic Stay. Upon
18 entry of the Ex Parte Order, the Automatic Stay shall be immediately extinguished for all purposes
19 as to the Secured Creditor Wells Fargo Home Mortgage, Inc., its assignees and/or successors in
20 interest, may proceed with a foreclosure of and hold a Trustee's Sale on the subject property,
21 pursuant to applicable state law, and commence any action necessary to obtain complete possession
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1
2 of the subject Property.

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4 Submitted by:

5 THE COOPER CASTLE LAW FIRM
A Multi-Jurisdictional Law Firm

6 By: /s/ Michael W. Chen Date: _____
7 Michael W. Chen, Esq.
8 Attorney for Secured Creditor
Wells Fargo Home Mortgage, Inc.

9 APPROVED/DISAPPROVED

10
11 By: [Signature] Date: _____
12 Bonnie Boyce, Esq.
Attorney for TOM D. STUMBO

13
14 APPROVED/DISAPPROVED

15
16 By: [Signature] Date: 1/27/10
17 Kathleen A. Leavitt
Standing Trustee

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Bonnie Boyve., -- approved
Kathleen A. Leavitt-- approved

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

I declare under penalty and perjury that the forgoing is true and correct.

/s/ Tyler Sharpe
An employee of The Cooper Castle Law Firm